

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**March 13, 2006**

- C045772 THE PEOPLE v. KENNEDY**  
**C046292 THE PEOPLE v. KENNEDY (Not for Publication)**  
The judgments are affirmed.  
MORRISON, J.  
We Concur: Davis, Acting P.J.  
Cantil-Sakauye, J.
- C047005 THE PEOPLE v. LUTE (Not for Publication)**  
The judgment is affirmed.  
CANTIL-SAKAUYE, J.  
I concur: Raye, J.  
I concur in the opinion except for part IVA, where I concur in the result:  
Sims, Acting P.J.
- C047032 THE PEOPLE v. SANDERS (Not for Publication)**  
The judgment is affirmed.  
DAVIS, J.  
We Concur: Scotland, P.J.  
Morrison, J.
- C048446 THE PEOPLE v. HENDERSON (Not for Publication)**  
The restitution fine imposed on the murder conviction is reduced to \$9,900. The judgment is otherwise affirmed...  
DAVIS, J.  
We Concur: Blease, Acting P.J.  
Raye, J.
- C050233 LIEBLEIN, INC. et al. v. SHEWRY, AS DIRECTOR, etc. (CERTIFIED FOR PUBLICATION)**  
The judgment is affirmed. The California Department of Health Services shall received its costs on appeal. (Cal. Rules of Court, rule 27 (a)(1).)  
SIMS, J.  
I concur: Robie, J.  
I concur in the majority opinion...  
Blease, Acting P.J.
- C050088 In re R.W. et al., Minors.; S.W. v. S.P. (Not for Publication)**  
The order terminating the mother's parental rights is reversed.  
RAYE, J.  
We Concur: Nicholson, Acting P.J.  
Robie, J.

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**The Minutes**

**March 14, 2006**

- C047512      THE PEOPLE v. SHESHKUTOV      (Not for Publication)**  
The trial court is directed to correct the minute order of the sentencing hearing to reflect the court imposed a five-year prison sentence and suspended execution of the sentence. The judgment is affirmed.  
NICHOLSON, Acting P.J.  
We Concur: Hull, J.  
Robie, J.
- C048232      THE PEOPLE v. CASTRO      (Not for Publication)**  
The matter is remanded for resentencing to permit the trial court to exercise its discretion... In all other respects, the judgment is affirmed.  
ROBIE, J.  
We Concur: Sims, Acting P.J.  
Hull, J.
- C048400      THE PEOPLE v. LEONARD      (Not for Publication)**  
The order of commitment is affirmed.  
ROBIE, J.  
We Concur: Scotland, P.J.  
Davis, J.
- C049036      NATIONAL CASUALTY COMPANY v. SOVERIGN GENERAL INSURANCE SERVICES, INC.      (CERTIFIED FOR PUBLICATION)**  
The judgment is affirmed.  
BLEASE, Acting P.J.  
I concur: Cantil-Sakauye, J.  
I concur in the result...  
Hull, J.
- C048697      In re L.S.; BUTTE COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES v. FRANKIE S.      (Not for Publication)**  
The orders of the juvenile court are affirmed.  
NICHOLSON, J.  
We Concur: Blease, Acting P.J.  
Morrison, J.
- C049790      In re JAMES M.; THE PEOPLE v. JAMES M.      (Not for Publication)**  
The matter is remanded to the juvenile court with directions...  
NICHOLSON, Acting P.J.  
We Concur: Raye, J.  
Robie, J.



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**March 15, 2006, continued**

- C049129      THE PEOPLE v. ROBERTS      (Not for Publication)**  
The sentence and denial of probation are vacated and the case is remanded for a new probation and sentencing hearing... In all other respects, the judgment is affirmed.  
RAYE, Acting P.J.  
We Concur: Hull, J.  
Robie, J.
- C050414      THE PEOPLE v. CRUZ JR.      (Not for Publication)**  
The judgment is affirmed.  
BUTZ, J.  
We Concur: Morrison, Acting P.J.  
Robie, J.
- C047075      GILL PETROLIUM, INC. v. HAYER et al.      (Certified for Partial Publication)**  
The trial court's order granting relief from forfeiture is affirmed. Plaintiffs shall reimburse defendants for their costs on appeal. (Cal. Rules of Court, rule 27(a).)  
SCOTLAND, P.J.  
We Concur: Sims, J.  
Davis, J.

**March 16, 2006**

- C047033      THE PEOPLE v. XABANDITH et al.      (Not for Publication)**  
The judgments are affirmed.  
MORRISON, J.  
We Concur: Blease, Acting P.J.  
Nicholson, J.
- C048339      THE PEOPLE v. RUSSELL      (Not for Publication)**  
The judgment is reversed.  
BLEASE, Acting P.J.  
We Concur: Davis, J.  
Cantil-Sakauye, J.
- C049741      THE PEOPLE v. KHAN      (Not for Publication)**  
The judgment is affirmed.  
BLEASE, Acting P.J.  
We Concur: Sims, J.  
Hull, J.

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**The Minutes**

**March 16, 2006, continued**

- C050099      THE PEOPLE v. ROGERS      (Not for Publication)**  
The judgment is affirmed.  
Cantil-Sakauye, J.  
We Concur:    Sims, Acting P.J.  
Raye, J.
- C048596      KNIGHT et al. v. SCHWARZENEGGER, as Governor, etc. et al. and  
EQUALITY CALIFORNIA      (Not for Publication)**  
The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur:    Sims, J.  
Raye, J.
- C048529      In re ANTHONY C.; THE PEOPLE v. ANTHONY C.  
THE COURT:**  
On its own motion, the court grants rehearing in the above cause.  
SIMS, J.  
ROBIE, J.

**March 17, 2006**

- C048147      THE PEOPLE v. BROWN      (CERTIFIED FOR PUBLICATION)**  
The judgment is affirmed. The matter is remanded to the trial court for a  
determination of legal fees in compliance with section 987.8. (***Certified for  
Publication.***)  
DAVIS, Acting P.J.  
We Concur:    Nicholson, J.  
Robie, J.
- C048417      THE PEOPLE v. SMITH      (Not for Publication)**  
The judgment (order extending commitment) is affirmed.  
DAVIS, J.  
We Concur:    Sims, Acting P.J.  
Hull, J.
- C049182      THE PEOPLE v. EATTOCK      (Not for Publication)**  
The order of probation is modified...  
... As modified, the order of probation is affirmed.  
DAVIS, Acting P.J.  
We Concur:    Morrison, J.  
Butz, J.

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**The Minutes**

**March 17, 2006, continued**

- C049636      THE PEOPLE v. STOVER II      (Not for Publication)**  
                 The judgment is affirmed.  
                 DAVIS, Acting P.J.  
We Concur: Morrison, J.  
                 Butz, J.
- C050019      THE PEOPLE v. LOGGINS, JR.      (Not for Publication)**  
                 The judgment is affirmed.  
                 BUTZ, J.  
We Concur: Morrison, Acting P.J.  
                 Robie, J.
- C048066      DOMINGUEZ, a Minor, etc., et al. v. COUNTY OF SAN JOAQUIN et al.**  
**BY THE COURT:**  
                 Appellant's petition for rehearing is denied.  
                 NICHOLSON, Acting P.J.